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August 1, 2022

Prothonotary, Superior Court of Pennsylvania

310 Grant St., Suite 600

Pittsburgh, PA 15219

In re: *Biros v. U Lock Inc.*, No. 607 WDA 2022

To the Prothonotary:

Because there exists an automatic bankruptcy stay that effectively stays this appeal, U Lock Inc. cannot respond to this Court's *Show Cause* Order of July 18, 2022. Therefore, this response is provided by the undersigned in the capacity as *amicus curiae*. No fees have been billed to U Lock Inc. for this *amicus curiae* letter.

As this Court is aware, a bankruptcy exists with respect to U Lock Inc. 11 USC 362 provides for an automatic stay of all civil proceedings, including these appeals. The Supreme Court of Pennsylvania, in the related case at 259 WAL 2021, recognized the stay.

It is noted that the United States Bankruptcy Court, at a hearing on June 2, 2022, already verbally declared the action entered by the Court of Common Pleas on May 13, 2022, to be *void ab initio* because it violated the automatic stay.

Similarly, this Court's *show cause* and the briefing schedule are *void ab initio* as they violate the stay. Simply put, no action can be taken until the termination of the stay.

While this Court noted that a creditor filed a motion to dismiss and that the bankruptcy court set a third hearing on the matter for August 9, 2022, this does not change the automatic stay. If the bankruptcy court dismisses the case,, the stay may terminate or it may continue throughout an appeal to the United States District Court for the Western District of Pennsylvania. This will be a decision of the bankruptcy court. In the event the stay is lifted, the undersigned will promptly notify this Court.

Very truly yours,

/s/ J. Allen Roth, Esq

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